



U.S. DEPARTMENT OF COMMERCE  
PATENT AND TRADEMARK OFFICE

**RESPONSE TO NOTICE TO FILE  
MISSING PARTS OF  
NON-PROVISIONAL APPLICATION --  
FILING DATE GRANTED**

Docket Number:  
**11128/57903**

Application Number  
**10/777,535**

Filing Date  
**February 11, 2004**

Examiner  
**To be assigned**

Art Unit  
**1641**

Invention Title  
**PROCESS FOR PREPARING SIMVASTATIN  
HAVING CONTROLLED RANGES OF  
SIMVASTATIN DIMER CONTENT**

Inventor(s)  
**Ferenc KORODI et al.**

Address to:

Mail Stop Missing Parts  
Commissioner for Patents  
Alexandria, VA 22313-1450

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop Missing Parts, Commissioner for Patents, Alexandria, VA 22313-1450 on

Date: \_\_\_\_\_

Signature: \_\_\_\_\_

Sir:

To complete the filing requirements for the above-referenced application under 37 C.F.R. § 1.51, enclosed please find a Declaration and an Appointment of Power of Attorney by Assignee of Entire Interest.

A copy of the Notice to File Missing Parts of Nonprovisional Application dated May 12, 2004 is also enclosed.

1. The Commissioner is hereby authorized to charge payment of the 37 C.F.R. § 1.16(e) surcharge fee of **\$130.00** to the deposit account of **Kenyon & Kenyon**, deposit account number **11-0600**.

09/03/2004 SZEWDIE1 00000059 10777535

01 FC:1051 120.00 DA

09/03/2004 SZEWDIE1 00000059 10777535

02 FC:1252 420.00 DA

2. Applicants hereby request a **two-month extension of time** for respond to the Notice of July 12, 2004, which set a two-month period for response. The extended period for response expires on September 12, 2004. Please charge the **\$420.00** extension fee to the deposit account of **Kenyon & Kenyon**, deposit account number **11-0600**.
3. The Commissioner is also authorized to charge any additional fees or credit any overpayment to the deposit account of **Kenyon & Kenyon**, Deposit account No. **11-0600**.
4. A duplicate copy of this sheet is enclosed.

Dated:

9/2/04

By:



W. David Wallace, Reg. No. 42,210

KENYON & KENYON  
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## UNITED STATES PATENT AND TRADEMARK OFFICE

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| APPLICATION NUMBER | FILING OR 371 (c) DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NUMBER |
|--------------------|------------------------|-----------------------|------------------------|
| 10/777,535         | 02/11/2004             | Ferenc Korodi         | 11128/57903            |

CONFIRMATION NO. 5138

## FORMALITIES LETTER



\*OC000000012613662\*

26646  
 KENYON & KENYON  
 ONE BROADWAY  
 NEW YORK, NY 10004

Date Mailed: 05/12/2004

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted***Items Required To Avoid Abandonment:**

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

**SUMMARY OF FEES DUE:**

Total additional fee(s) required for this application is **\$130** for a Large Entity

- **\$130** Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts  
 Commissioner for Patents  
 P.O. Box 1450

09/03/2004 SZENDIE1 00000059 110600 10777535 Alexandria VA 22313-1450

01 FC:1051 130.00 DA

*A copy of this notice **MUST** be returned with the reply.*

*N. Mohammed*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE